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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/411,730 10/01/99 KRAMER

D 60.130-569

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MMC2/0228

EXAMINER

HAMDAN, W

ART UNIT

PAPER NUMBER

2858

DATE MAILED:

02/28/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/411,730

Applicant(s)

Dennis A. Kramer

Examiner  
Wasseem H. Hamdan

Group Art Unit  
2858



☒ Responsive to communication(s) filed on Jan 24, 2001

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-18 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-18 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

Glenn W. Brown  
Primary Examiner

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2858

### **Part III - DETAILED ACTION**

#### ***Amendment***

1. This office action is in response to applicant's amendment filed on 01/24/2001.
2. The rejection of claims 1-6, 10-13 and 15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Coverdill et al. (US Patent number 5,890,080) has been maintained as necessitated by the amendment.
3. The rejection of claims 7-9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's Coverdill et al. (US Patent number 5,890,080) in view of Doyle et al. (US Patent number 5,850,188) has been maintained as necessitated by the amendment..
4. Claims 17 and 18 have been added..

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coverdill et al. (US Patent number 5,890,080).

Art Unit: 2858

Regarding claim 1, 10 and 15, Coverdill et al. disclose a method of actuating electrical components of a vehicle for performing diagnostic analysis on the electrical components [column 2: lines 26-31; 47-57], said method comprising:

relaying a signal from a remote transmitter [column 2: lines 32-34; column 4: lines 1-2] to a receiver aboard a vehicle [column 2: lines 32-41];

Regarding claims 10 and 15, Coverdill et al. disclose performing diagnostic analysis upon the electrical components while actuating the electrical components with the remote transmitter [column 2: lines 32-54; column 3: 47-57].

Regarding claims 1, 2, 10 and 15, Coverdill et al. disclose the essential elements of the claimed invention. Coverdill et al. do not explicitly disclose actuating electrical components on the vehicle in response to the signal from the transmitter. Coverdill et al. disclose resetting the vehicle's electronics [column 2: lines 28-31], also Coverdill et al. disclose sensors and actuators used to monitor and control performance of the respective subsystem using ECU's on the truck [column 2: lines 32-35; column 3: lines 50-53] which all mean the same, if Coverdill et al. system can reset or monitor the subsystems, it also can actuating the electrical components on the vehicle in response to the signal from the transmitter [column 2: lines 55-61] . It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Coverdill et al. by including actuating electrical components on the

Art Unit: 2858

vehicle in response to the signal from the transmitter. The skilled artisan would have been motivated to modify Coverdill et al. as above for the purpose of performing diagnostics on the vehicle remotely.

Regarding claims 3 and 13, Coverdill et al. disclose wherein said step of relaying a signal from the remote transmitter is further defined by transmitting a radio frequency signal from a remote transmitter to a vehicle receiver [column 4: lines 2-4].

Regarding claim 4, Coverdill et al. disclose 4. A method as set forth in claim 3 including the step of relaying the signal received by the receiver to an electronic control device located aboard the vehicle [column 2: lines 32-38].

Regarding claim 5, Coverdill et al. disclose wherein said step of actuating the electrical components is further defined by directing the electronic components through an actuation cycle programmed into the electronic control device [column 2: lines 38-54; column 3: lines 47-57].

Regarding claim 6, Coverdill et al. disclose further including the step of wiring the receiver to the electrical components for by-passing the electronic control device for directly signaling the electrical components [column 2: lines 39-49].

Art Unit: 2858

Regarding claim 16, Coverdill et al. disclose wherein said step of wiring the receiver to the electrical components is further defined by wiring the receiver to a standard electronic data bus for by-passing the electronic control device for directly signaling the electrical components [column 1: lines 36-43].

Regarding claim 11, Coverdill et al. disclose step of programming the electronic control device is further defined by entering a temporary program into the electronic control device for actuating the electrical components [column 5: lines 56-65].

Regarding claim 12, Coverdill et al. disclose wherein said steps of transmitting a signal, and performing diagnostic analysis are executed by a single operator [column 2: lines 55-60].

Regarding claim 17, Coverdill et al. disclose actuated signal actuate selected electrical components [column 2: lines 39-54].

Regarding claim 12, Coverdill et al. disclose electrical components actuated through an actuation cycle [column 2: lines 39-54]

Art Unit: 2858

7. Claims 7-9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's Coverdill et al. (US Patent number 5,890,080) in view of Doyle et al. (US Patent number 5,850,188).

Regarding claims 7, 8, 9 and 14, Coverdill et al. disclose the essential elements of the claimed invention. However, Coverdill et al. do not explicitly disclose keyless entry receiver. Doyle et al. disclose a keyless entry receiver [column 2: lines 24-27; 48-64]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Coverdill et al. by including a keyless entry receiver. The skilled artisan would have been motivated to modify Coverdill et al. as above for the purpose of performing diagnostics on the vehicle remotely.

***Response to Amendment***

8. Applicant's arguments filed 01/24/2001 have been fully considered but they are not persuasive. The Amendment is insufficient to overcome the prior art of record.

Applicant's arguments that the Coverdill et al. do not disclose that the invention is not supported by remote link. The examiner respectfully disagrees, because Coverdill et al. Invention disclose that the communication unit is a device that support remote communication with the truck [Coverdill et al. Column 4: lines 1-7]. In addition it is expected and well known in the art to include remote link.

Art Unit: 2858

Applicant's arguments that the Coverdill et al. do not disclose that the receiver which receives an actuation signal from remote transmitter . The examiner respectfully disagrees, because, the commination unit that Coverdill et al. disclose is obvious that it is capable in doing that [Coverdill et al. Fig. 1; Column 3: lines 3-9; column 4: lines 11-18].

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



Art Unit: 2858

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wasseem Hamdan whose telephone number is (703) 305-3968. The examiner can normally be reached Monday-Thursday from 700AM-400PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Safet Metjahic can be reached on (703) 308-1436.

The fax phone number for this Art Unit are (703)308- 7722, (703)308- 7724, (703)305-3432 or (703)305-3431.

Any inquiry of a general nature or relating to the status of this application should be directed to the Receptionist at (703) 308-0956.

11. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703)308- 7722, (703)308- 7724, (703)305-3432 or (703)305-3431.

(for formal communications intended for entry, please label "FORMAL" and sign as attorney of record, for informal or draft communications, please label "PROPOSED" or "DRAFT" and prominently label PLEASE DELIVER DIRECTLY TO EXAMINER).

Serial Number: 09/411,730

Page 9

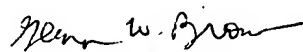
Art Unit: 2858

Hand-delivered responses should be brought to Crystal Plaza 4 [fourth Floor  
(Receptionist)], 2201 South Clark Place, Arlington, VA. 22202.

Wasseem H. Hamdan

WH

February 21, 2001

  
Glenn W. Brown  
Primary Examiner